

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
v. )  
VINCENT KIEJKO, )  
Defendant )  
Criminal No. 20-40036-TSH

**REPORT AFTER FURTHER INTERIM STATUS CONFERENCE**  
**PURSUANT TO LOCAL RULE 116.5(b)**

July 12, 2021

Hennessy, M.J.

Defendant is charged in an indictment with one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B). Defendant was arraigned by videoconference on October 2, 2020. The court held a further status conference on July 12, 2021 in Worcester, which counsel attended by telephone. I report as follows:

**Local Rule 116.5(b)(1) through (4)**

The United States reports that it produced automatic and voluntary supplemental discovery. Defendant served discovery requests; the United States provided some responsive information. Defendant believes a discovery motion is necessary to resolve a dispute regarding discovery. Defendant shall file his motion on or before July 26, 2021. The United States will timely respond. In the absence of Defendant's waiver and assent to proceed by videoconference, a hearing on the

motion, if necessary, will be held on August 11, 2021 at 2:00 p.m. The Court issued a protective order.

**Local Rule 116.5(b)(5)**

Defendant anticipates filing motions to suppress evidence and for a Franks hearing. The undersigned will set a briefing schedule at the August 11, 2021 final status conference.

**Local Rule 116.5(b)(6)**

I have adopted the parties' proposal that the Government's expert disclosures, if any, be due forty-five (45) days before trial, and that Defendant's expert disclosures, if any, be due twenty-one (21) days before trial.

**Local Rule 116.5(b)(7)**

Defendant does not intend to raise defenses of insanity, public authority, or alibi.

**Local Rule 116.5(b)(8)**

The Court has excluded the period from October 2, 2020 (the date of Defendant's arraignment), through June 24, 2021 (the date of the Status Conference before Magistrate Judge Bowler). The parties further agree that the period from June 24 through the Final Status Conference that I have set for August 11, 2021 should be excluded under the interest of justice provision of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). I will allow that request and enter a separate written order. It appears that zero days are chargeable against the statutory speedy trial clock. See Order of Excludable Delay entered on this date.

**Local Rule 116.5(b)(9)**

The parties are not engaged in plea discussions. The Government's case-in-chief will require two days.

**Local Rule 116.5(b)(10)**

A Final Status Conference (and discovery hearing, if necessary) will take place in this case on Wednesday, August 11, 2021 at 2:00 p.m., in Courtroom #1, Fifth Floor, Donohue Federal Building, 595 Main Street, Worcester, Massachusetts. If the parties file a joint memorandum that addresses Local Rule 116.5(c) which obviates the need for the status conference, the Court will waive the status conference. If any counsel wishes to appear in person, counsel is to contact my Courtroom Clerk Dawn King, (508.929.9905 or [Dawn\\_King@mad.uscourts.gov](mailto:Dawn_King@mad.uscourts.gov)) before the conference.

/ s / David H. Hennessy  
David H. Hennessy  
United States Magistrate Judge